

NO JOINT INQUIRY OF GAS COMPANY

Gallinger Tells Cary Senate
Will Act Alone.

HEARING OF HOUSE COMMITTEE

Correspondence Made Public—Senator
Carter Says Senators Cannot
Intrude on Representatives—Attorney
for Company Declares Corporate
Has Given Faithful Service.

In the tarest kind of a letter, Senator Gallinger yesterday made plain to Representative Cary, whom he addressed, and incidentally to the public, the fact that there will be no investigation in the near future of the Washington Gaslight Company and its affairs by a joint committee of the Senate and House.

Mr. Cary is chairman of a House District subcommittee named by Chairman Smith, of the House District Committee, to conduct an investigation of the gas company jointly with the Senate.

Mr. Smith seems to have overlooked the usual "by and with the advice and consent of the Senate" end of the proposition, for, as it turns out, Senator Gallinger says that the Senate has authorized no investigation of the gas company, and if it should, that action, to quote Senator Gallinger, "will be performed by the Senate committee without any assistance" of Chairman Smith's House District Committee or subcommittee.

Resented by Gallinger.

Senator Gallinger has taken exception to a remark recently made by Representative Cary, that "nothing but dynamite would start the Senate committee in the matter of an investigation of the gas company."

Mr. Cary did not give at the time his grounds for this belief, and it was left to inference that his statement was based on the result of what happened when Senator Brown tried to start an investigation of the gas company in the Senate, at which time the resolution providing for that proposed inquiry was referred to the District Committee, of which Senator Gallinger is chairman, at the urgent and insistent request of the latter.

At the hearing before the House District Committee yesterday on the Coudrey resolution, providing for the prohibition of the Washington Gas Company from incurring any more paper indebtedness or going ahead with its plan to refund its debt, the correspondence between Senator Gallinger and Representative Cary was made public.

Senator Carter, chairman of the Senate subcommittee having the matter in charge, also wrote Mr. Cary a very definite letter to the effect that there would be no joint investigation.

Couched in more diplomatic language than the letter of Senator Gallinger, Senator Carter's note says that he hardly thinks the Senate would be justified in intruding upon the House committee in order to make the joint investigation.

The Correspondence.

April 1, 1910.

Dear Senator: Undoubtedly you are aware of the fact that Chairman Smith, of the Committee on the District of Columbia, has appointed me chairman of the subcommittee to sit with the Senate subcommittee to investigate the gas company here in Washington.

I shall very much appreciate the favor if you will kindly advise me whether any steps have been taken toward making arrangements for this investigation, and as I am very desirous of having action taken, would you be kind enough to inform me in the premises? Yours respectfully, J. H. GALLINGER, Chairman.

Here is Senator Gallinger's reply:

April 2, 1910.

My Dear Mr. Cary: I am in receipt of your favor of yesterday, in which you say that Chairman Smith, of the House Committee on the District of Columbia, has appointed you chairman of a subcommittee to sit with the Senate subcommittee to investigate the gas company here in Washington.

I am very much interested in the matter, and I have also thought that the House Representatives were equally competent to manage its affairs.

I noticed that in a recent discussion in the House committee you suggested that nothing but dynamite would start the Senate committee in the matter of an investigation of the gas company, and I now wonder whether or not you and your subcommittee are to supply the dynamite if we should choose to act jointly.

I beg further to add that the Senate has not as yet directed an investigation. If that action shall be taken, it will be performed by the Senate committee without any assistance.

Very respectfully yours, J. H. GALLINGER, Chairman.

Senator Carter's Reply.

In response to a similar letter, written by Mr. Cary to Senator Carter, of Montana, the latter returned the following reply:

April 2, 1910.

William J. Cary, House of Representatives, Washington, D. C.

My Dear Sir: I am in receipt of your letter of the 1st instant, in which you say that Chairman Smith, of the Committee on the District of Columbia, has appointed you chairman of a subcommittee to sit with the Senate subcommittee to investigate the gas company here in Washington, and in reply you are advised that, according to my information, the chairman of the Committee on the District of Columbia is not authorized to take up a joint investigation without direct authority from the Senate, and I am not aware that such authority has been granted.

I observe from the public prints that the gas company is now being investigated by your committee, and I hardly think the Senate would feel justified in intruding upon that committee or in attempting to duplicate its work.

Very truly yours, THOS. H. CARTER, Manufacturer and Expert.

At the hearing yesterday, the company was represented by counsel, as usual, and Alexander C. Humphreys, president

of the Stevens Institute of Technology, president of the Buffalo Gas Company, an admitted gas manufacturer and gas expert, was present to testify.

Attorney Goldsborough declared that the proposition to prohibit the company from increasing its funded debt or issuing any more stock and bonds of any kind went to the very root of the matter, and that the attitude of the company would be to show that it had performed faithful service as a public service corporation, and was entitled to consideration. Mr. Goldsborough asked, and met with practically no opposition, for the closing of all testimony before arguments begin, and this will be the procedure.

Testifying for the company, Mr. Humphreys advanced the opinion that it would be impossible for the committee to go back into the past to ascertain whether or not earnings were unusually large. Answering a question as to whether or not he believed the profits of the company were reasonable, he said he would not regard a 6 per cent profit as a proper one, based on the sale of gas at 80 cents. Mr. Humphreys testified that the cost of making and distributing gas is 67 cents. The figures given were by the thousands feet.

In answer to a statement by Representative Rothwell, a member of the committee, that the company could reduce the price to 50 cents a thousand feet and still make a profit of 6 per cent on its capital stock, Mr. Humphreys testified that if the company should undertake to do this, he believed, as a gas expert, it would go into bankruptcy.

Testimony on Another Page.

An exhaustive analysis of the whole question, with its relation to the gas company as affecting the public, was entered into during the hearing. Committee members questioned the company witness and attorney, bringing out many interesting facts. These statements will be found at length on another page of this issue of The Washington Herald.

There were a number of little passages at arms, laughable for the most part, between the committeemen and the witnesses. At one point in the proceedings Mr. Humphreys resented the manner of his examination by a committeeman, and asked to be spoken to differently. At another time an attorney representing the gas interests struck a snag with a committeeman. Personal clashes, however, cut little figure in the investigation.

MUST DEBATE ON THE BILL.

Mann Limits Discussion on Railway Measure to Germane Subjects.

The railway bill, which was radically amended by the House Committee on Interstate and Foreign Commerce, will be taken up in the House as soon as the naval appropriation bill is disposed of. Chairman Mann, of the Interstate and Foreign Commerce Committee, yesterday had passed a resolution to this effect. It provides that general debate shall be germane to the bill—a rather unusual proposition—and that the bill shall be privileged and appropriation bills, that is, it remains the unfinished business, and may be called up at any time there is nothing else in the way.

The resolution was adopted without much argument. The Democrats did not seem disposed to interpose any objections. Representative Adamson, of Georgia, the senior minority member of the Interstate and Foreign Commerce Committee, made a brief talk, to the effect that the administration railroad bill, as introduced by Mr. Townsend, was entirely objectionable to the Democrats. But the minority members of the committee had succeeded in amending it materially, and they hoped to be able to accomplish more when the measure was read in the House for amendment under the five-minute rule.

Consequently, he said, he would interpose no objections to the adoption of the rule, as Representative Mann showed no disposition to limit debate or to curtail the power of amendment.

As a result of this action by the House, the railroad bill probably will be taken up some time next week. It will take at least all of this week to pass the naval bill.

CLERK WILL OPPOSE FOELKER.

Representative's Secretary Will Enter Campaign for Election.

Hugh Grant Smith, of Brooklyn, announced yesterday that he will be a candidate for Congress from the Third New York district to succeed Representative Foelker. Mr. Smith came here as secretary to Representative Foelker, and occupied that position until last Saturday. He then received his walking papers.

Mr. Smith declares that he was largely through his efforts that Foelker got the nomination in the Third district upon the death of Representative Dunwell. Just why Foelker and Smith fell out is not made clear by Smith.

PAY FOR YACHTSMEN.

Alfred Vanderbilt Among Those with Claims Against War Ships.

An omnibus bill, containing claims aggregating \$30,000 resulting from damage to privately owned vessels in collision with war ships, was favorably reported yesterday by the House Committee on Claims upon the recommendation of Secretary of the Navy Meyer.

Alfred Gwynne Vanderbilt will get \$250.47 if the committee's recommendations go through. His sailing yacht Caprice collided with a naval barge in the harbor at Newport, R. I., May 31, 1907. The committee on Claims thinks the Caprice was damaged to the extent named.

After waiting three years, Thomas P. Curran, of San Francisco, will fare even worse. His yacht Ripple bumped into the San Francisco fireboat Leslie that long ago. Curran is recommended to receive \$18.

Chimes for Boston Custom-house.

The custom-house at Boston is to have a set of chimes if a bill introduced in the Senate yesterday by Senator Lodge becomes a law. Mrs. Sarah Cabot Wheelwright has manifested a purpose to purchase a set of chimes to be placed in the tower of the Boston custom-house, and the bill yesterday authorizes the government to accept the gift.

Agricultural Bill Cut Down.

The aggregate of the appropriations carried by the Agricultural appropriation bill as it passed the Senate was scaled down about \$35,000 by the conference committee of the two Houses. As agreed to in the conference and adopted by the Senate yesterday, the bill carries appropriations aggregating \$12,457,636.

Right to Prospect Public Lands.

The right to explore and prospect for oil and gas on unappropriated and withdrawn public lands is given in a bill introduced in the Senate yesterday by Senator Smoot, of Utah.

Fish Culture at Nashua, N. H.

A bill appropriating \$15,000 for the establishment of an auxiliary fish cultural station in connection with the fish station at Nashua, N. H., passed the Senate yesterday.

THE FOOLISH HUSBAND.

He toiled and sweated half his life to hang rich garments on his wife. "I haven't time to cut a dash," he said, "but I will blow the cash to let those swelled-up neighbors know that I have got the cash to blow." And so his good wife wore her furs, and dress parade was always hers; she had her gems from near and far, and glittered like an auto-car; she had a new and wondrous gown for every "function" in the town; her life seemed sunny, gay, and glad, this wife who was her husband's ad. One night, his day of labor o'er, he found her weeping at the door, and when he asked her to explain, she stopped a while the briny rain, and cried: "This life my spirit fags! I'm tired of wearing flossy rags! I'm tired of chasing through the town, a dummy in a costly gown! I'd rather wear a burlap sack, or leather flynet on my back—and have you with me as of yore—than all the sables in the store! And if you really love your wife, you'll get back to the simple life. Don't try to gather all the dough that's minted in this world below; just earn enough to pay the freight, and let us live in simple state, in some neat shanty far away from pomp and fuss and vain display—some hut among the cockleburrs, remote from jewelry and furs!"

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WALT MASON.

ARMY OFFICERS ARE ACCUSED

Three Men on Duty in Cuba Said to Be Drawing Two Salaries.

Representative Slayden Offers Resolution Asking for Information as to Those Acquiring Spanish.

The association with the Cuban army of three United States army officers who are drawing pay both from this government and from the island republic, constitutes a violation of the Constitution of this country, according to Representative Slayden, of Texas, who yesterday introduced a resolution calling for all of the information on the subject.

"It appears," said Mr. Slayden yesterday, "that for several months three officers of the United States army, who were sent to Cuba ostensibly for the purpose of learning Spanish, have been actually associated with the army of Cuba, and while so serving have drawn pay at the rate of \$150 or \$200 per month in addition to their pay as officers of the United States army. I believe, as does every member of the House whose attention has been drawn to the case, that the detail of these officers and their service with the Cuban army is a flagrant violation of the Constitution of the United States, which says:

"No person holding any office of profit or trust under them (the United States) shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

"Evidently the authorities at the War Department have come to realize that there has been a gross violation of the constitutional inhibition made and provided for such cases, and an effort is being made to justify their illegal action by a rider to the Military Academy bill in the Senate."

The resolution introduced by Mr. Slayden requests the Secretary of War to inform the House "whether Capt. Frank Parker, Eleventh Cavalry; Capt. G. G. Gately, Third Field Artillery, and Capt. Philip S. Golderman, Coast Artillery Corps, are attached in any way to the army of the republic of Cuba; whether they are receiving compensation from the government of Cuba, under what circumstances; these officers were detailed to service with the Cuban army, and under what authority of law they have received pay for such service."

The resolution also inquires whether any other officers besides these named are detailed to duty in Cuba, and if so, to what particular service, and whether they also receive additional compensation.

WAR SHIP WORK OVERDUE.

South Bethlehem Plant Behind on Orders for Battle Ships.

The Navy Department yesterday forwarded to the House of Representatives its reply to the resolution introduced by Representative Rainey, of Illinois, designed to bring out the truth about conditions at the Bethlehem Steel Company's plant at South Bethlehem.

The report deals particularly with the uncompleted government contracts of the company, and shows that while the contract for shafting for the battle ship Florida is 85 per cent completed, it provided that delivery was to be made January 10 last, and that the first line of shafting is three and a half months overdue. Only about 25 per cent of the material for pistons for the battle ship Missouri has been received, although the whole business, by contract, was to have been completed January 23 of this year.

Beverly Site to Be Extended.

The Treasury Department announced yesterday that an additional \$5,000 had been allowed for the purchase of land at the corner of Rantoul street and Railroad avenue, Beverly, Mass., where President Taft's summer home is located. With this the government will have spent \$24,000 on the land on which Beverly's public building is to be erected. The building itself is to cost \$94,000.

Chimes for Boston Custom-house.

The custom-house at Boston is to have a set of chimes if a bill introduced in the Senate yesterday by Senator Lodge becomes a law. Mrs. Sarah Cabot Wheelwright has manifested a purpose to purchase a set of chimes to be placed in the tower of the Boston custom-house, and the bill yesterday authorizes the government to accept the gift.

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YESTERDAY IN CONGRESS.

(APRIL 4, 1910.)

SENATE.

The Senate met at noon. Agricultural bill conference report adopted. Railway bill under consideration. Elkins offering three amendments and Senator Crawford making principal speech.

Private bills passed.

The Senate adjourned at 5:30.

HOUSE.

The House met at noon. Naval appropriation bill up for amendment. Army officers accused of drawing two salaries. Discussion of railway bill limited to germane subjects, by resolution by Mr. Mann, passed.

Coudrey offers bill to limit size of hatpins in District.

Joint inquiry of Senate and House on gas refused by Gallinger, as shown by letters before the committee, and Senator Crawford making principal speech.

The House adjourned at 5 o'clock.

HERRICK TESTIFIES TO-DAY.

Former Ohio Governor to Be Heard in Stearnson Case.

The select committee appointed by the House to inquire into the ship subsidy scandal held its first hearing yesterday.

Representative Stearnson, author of the resolution of inquiry, submitted a list of witnesses whom he desired to be heard. They were:

Former Gov. Herrick, of Ohio; former Representative McCleary, of Minnesota; John A. Panton, secretary of the Merchant Marine League; John M. Maxwell, of Cleveland; J. P. Dotson, of Crookston, Minn., a newspaper editor, and W. P. Hackney, of Kansas. Subpoenas will be issued for all of those named. Messrs. Herrick and McCleary will appear before the committee to-day.

A supplemental list of witnesses will be submitted to the committee later in the week.

BARS LONG HATPINS.

Representative Coudrey Offers Still Another District Resolution.

Washington will follow the lead of Chicago in prohibiting the wearing by women long dangerous, and stylish hatpins, if a bill introduced in the House yesterday by Representative Coudrey, of Missouri, becomes a law.

It proposes to make it a misdemeanor for any woman to wear a hatpin the point of which sticks out more than one inch beyond the hat through which it is run.

Mr. Coudrey is rapidly making a reputation as a bill introducer. So far this season he has offered measures on almost every conceivable subject.

NOMINATIONS SENT IN.

President Names Men in Navy, Justice, and Post-Office Departments.

The following nominations were sent to the Senate yesterday:

Justice—To be United States marshals: Milo D. Campbell, of Michigan, Eastern district of Michigan; Charles T. Elliott, of California, Northern district of California. To be associate justice of the Supreme Court of New Mexico: Edmund C. Abbott, of New Mexico.

Post-Office—To be postmaster, George H. Stewart, of Zanesville, Ohio.

Navy—Captains to be rear admirals: Chauncey Thomas and William A. Marshall.

CUSTOMS COURT EXPENSE.

Attorney General Estimates Tribunal Will Cost \$90,000.

According to estimates sent to the House of Representatives by Attorney General Wickham yesterday, the Customs Court of Appeals and the special work of the Department of Justice in connection with customs will cost the government about \$90,000 during the next fiscal year.

The presiding judge will receive \$7,000 a year, the four associate justices the same, the marshal \$3,000, the clerk \$3,500, assistant clerk \$2,000, five stenographers \$1,000, a court stenographer \$2,500, and messenger \$500. Traveling expenses, etc., are estimated at \$40,000. The Attorney General proposes a salary of \$5,000 for an assistant attorney general, under the head of "protecting the interests of the United States in customs matters."

PHILIPPINE BILLS PASSED.

Senate Approves Measures Affecting Government in Islands.

The Senate yesterday passed the several bills recommended by the War Department, making changes in the act providing a form of government in the Philippine Islands. One of these measures authorizes the Philippine Commission to increase from \$500,000 to \$1,000,000, the limit of debt in the improvement of public works on the islands.

Other bills taken from the calendar and passed, provide:

For preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and for regulating traffic therein.

For the retirement of certain officers of the Philippine Scouts.

To Accept Pierpont Statue.

The Senate passed a resolution yesterday setting aside April 30 as the date for the ceremonies incident to the acceptance of the statue of Francis H. Pierpont, the gift of West Virginia to Statuary Hall.

McCall Publicity Bill Reported.

The McCall bill, providing for publicity of contributions made in national and Congress campaigns, was reported favorably to the House yesterday. The measure will come up for consideration within the next two weeks.

ELKINS TO CHANGE THE RAILWAY BILL

Offers Three Amendments
Approved by Committee.

CONCESSIONS TO OPPONENTS

Senator Crawford Makes Speech of Day on Measure—Says Commerce Court Would Not Be Justified Unless Given Jurisdiction—Races to File Suits, He Declares Disgraceful.

Three important amendments to the administration railway bill in the Senate were offered yesterday by Chairman Elkins, of the Interstate Commerce Committee. The proposed amendments have the approval of a majority of the committee. The three amendments are in the nature of concessions to the opponents of the bill.

One of the amendments inserts the words "subject to the approval of the Interstate Commerce Commission" in line 22, page 13, of section 7, which will have the effect of requiring the approval of the commission to every traffic agreement before it will be effective. The pending bill only required the filing of such an agreement with the commission.

Another of the proposed amendments by Mr. Elkins knocks out the concluding sentence of section 12, which section generally authorized the acquisition by one railroad of another road, provided the acquiring road owns not less than 50 per cent of the stock of a road to be acquired, subject to the approval of the court of commerce.

Words Stricken Out.

The words proposed to be stricken out are in the proviso, and are as follows:

"In making the determination herein provided for, the court shall take into consideration the effect of such proposed acquisition upon the due observance and effective enforcement of all the laws of the United States and the relative importance of any benefit to the public interest and of any effect upon competition resulting from such acquisition."

The third amendment inserts in the same section the word "owns," as qualifying the word "owns," to make it incumbent upon the road seeking to acquire another road that it shall "lawfully" own not less than 50 per cent of the stock of the road to be acquired.

In a speech in favor of the bill Senator Crawford, of South Dakota, expressed the opinion that the court of commerce provision would not be justified unless it is given jurisdiction over cases to annual orders by the boards of railway commissioners of the several States, which are now brought in the circuit courts of the United States in cases where it is claimed such orders are confiscatory. An amendment giving this increased jurisdiction to the court was offered by the Senator from South Dakota, who declared that it would materially increase the number of cases heard and add greatly to the usefulness of the new court.

The practice of railroads and State officers rushing to the courts in litigation to enjoin the enforcement of a State statute was characterized by Senator Crawford as "disgraceful and unseemly."

Important Cases Brought.

"Many cases of great importance are now brought in the circuit courts of the United States," Senator Crawford said, "to enjoin the enforcement of statutes of States and to annul orders made by State boards of railroad commissioners fixing maximum rates for interstate traffic. I am informed by the attorney general of South Dakota that over twenty cases are pending against the officers of that State in the Circuit Court of the United States to enjoin the enforcement of statutes and to annul orders claimed to be confiscatory in their effect."

"Numerous actions of a similar character, I understand, are pending in the Federal courts in North Carolina, Alabama, and other States. Unseemly and disgraceful scrambles occur in a race between the contending parties when one side attempts to invoke the aid of the State courts to enforce the statute of the State, while the other attempts to invoke the aid of a Federal court to enjoin such enforcement, priority of time in commencing the suit determining which court shall retain jurisdiction over the subject matter."

Contest in South Dakota.

"In a recent contest, which is still pending between several railroad companies and the officers of South Dakota, the attempt to pass cases in the circuit courts of the United States by the railroads to enjoin the officers from enforcing the statute of the State preceded the filing of a suit by the attorney general of the State to enjoin the railroads from violating the same statute by only an hour or two, both suits having been commenced before the signature of the governor approving the bill was dry. This arouses bitter feeling and resentment on the part of the people of the State against the Federal court, because they feel that by a trick their own courts are deprived of jurisdiction to pass upon the validity of one of their own laws."

An effort to fix a date for a vote on the bill was made after Senator Crawford had finished his speech, but it failed.

To Prohibit Vulgar Pictures.

The Senate yesterday passed the bill to prohibit the exhibition of obscene,

CASTORIA

The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of *Chas. H. Fletcher* and has been made under his personal supervision since its infancy. Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children—Experience against Experiment.

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Michigan avenue and Beach.

Rates, \$2.00 per day and up; \$12 per week and up; double room (two persons) \$3 per week and up. During April and May for week or longer, will make discount of 10 per cent.

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